

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

DAVID PILLATOS,

Plaintiff,

v.

CAPT. SPENCER, *et al.*,

Defendants.

Case No. C07-5399 FDB/KLS

ORDER DENYING PLAINTIFF'S
MOTION TO COMPEL

Before the Court is Plaintiff's motion for the production of documents. (Dkt. # 6). For the reasons set forth below, Plaintiff's motion shall be denied.

Plaintiff was granted leave to proceed *in forma pauperis* on August 15, 2007. (Dkt. # 3). On the same day, the Court directed that Plaintiff's Complaint should be filed and served by the U.S. Marshall. (Dkt. # 4, 5). On August 24, 2007, prior to service of Plaintiff's Complaint on the named Defendants, Plaintiff filed a motion for the production of documents at issue here. (Dkt. # 6). Plaintiff's motion does not indicate that he first served the request for production of documents upon the named defendants nor does the motion include a certification that he has in good faith conferred with opposing counsel as required by Fed. R. Civ. P. 37(a)(2)(B).

II. DISCUSSION

Plaintiff's motion to compel is premature. Plaintiff is directed to Rules 26 through 37 of the

1 Federal Rules of Civil Procedure, which govern the scope and limits of discovery. In addition,
2 Plaintiff is advised that the rules provide each party with time limits for responding to discovery
3 requests and that before a motion seeking an order compelling discovery may be filed with the
4 Court, the parties must confer in good faith in an attempt to resolve their differences. Fed. R. Civ.
5 P. 37(a)(2)(B)

6 Accordingly, it is **ORDERED**:

- 7 (1) Plaintiff's motion for the production of documents (Dkt. # 6) is **DENIED**; and
8 (2) The Clerk of the Court shall send a copy of this Order to Plaintiff and to any parties
9 that have appeared of record.

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11 DATED this 17th day of October, 2007.

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15 Karen L. Strombom
16 United States Magistrate Judge
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